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Federal Agencies

November 9, 2006

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Commissioner for Patents  
PO Box 1450  
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**Art Unit To Be Assigned**

**Attn: Mail Stop Amendment**

Re: U.S. Utility Patent Application  
Application No. 10/594,251  
(U.S. Nat'l Phase of Int'l App. No. PCT/EP2005/002605; I.A. Date: March 11, 2005)  
For: **2,4,6-Phenyl-Substituted Cyclic Ketoneols**  
Inventors: **BRETSCHNEIDER et al.**  
Our Ref: 2400.0800000/JMC/VLC/CMB

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement Filing Under 37 C.F.R. § 1.97(b);
2. Form PTO/SB/08A listing five (5) cited documents;
3. A copy of one (1) of the five (5) cited documents (FP1);
4. Form PTO/SB/08B listing one (1) cited document;
5. A copy of the one (1) cited document (NPL1); and
6. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

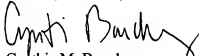
In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
November 9, 2006  
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Cynthia M. Bouchez  
Attorney for Applicants  
Registration No. 47,438

JMC/VLC/CMB:krh  
Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BRETSCHNEIDER *et al.*

Appl. No.: 10/594,251 (*U.S. Nat'l Phase of Int'l*)

Appl. No. PCT/EP2005/002605)

I.A. Date: March 11, 2005

For: 2,4,6-Phenyl-Substituted Cyclic Ketoenols

Confirmation No.: To Be Assigned

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 2400.0800000/JMC/VLC/CMB

**Information Disclosure Statement**

*Mail Stop Amendment*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of documents **FP1** and **NPL1** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of documents **US1-US4**, U.S. patents cited on the attached Form PTO/SB/08A, are not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents, FP1, cited on Form PTO/SB/08A:

**FP1**, WO 01/17972 A1, is in the German language. An English language abstract of document FP2 can be found on the face page of the patent.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication

dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

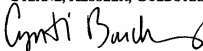
This Information Disclosure Statement is being filed prior to the issuance of the first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Cynthia M. Bouchez  
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Date: Nov. 9, 2006

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Atty. Dkt. No. 2400.0800000/JMC/CMB

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /KH/





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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

|                        |  |
|------------------------|--|
| Application Number     | 10/594,251<br>(U.S. Nat'l Phase of Int'l Appl.<br>No. PCT/EP2005/002605) |
| Int'l Filing Date      | March 11, 2005   |
| First Named Inventor   | BRETSCHNEIDER, Thomas  |
| Art Unit               | To be Assigned   |
| Examiner Name          | To be Assigned   |
| Attorney Docket Number | 2400.080000/JMC/CMB  |

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|-------|---|----|---|
| Sheet | 1 | of | 1 |
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**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>2</sup> |
|--------------------|-----------------------|--|----------------|
|                    | NPL1                  | Clive, D.L. and Wang, J., "Synthesis of natural (-)-hamigeran B," <i>Tetrahedron Lett.</i> 44:7731-7733, Elsevier Ltd. (October 2003)  |                |
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| Examiner Signature | /Kahsay Habte/ | Date Considered | 03/22/2010 |
|--------------------|----------------|-----------------|------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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